

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 1:07-cr-270-WC</b>
	)	
<b>RONALD SMITH, III</b>	)	

**MOTION TO CONTINUE TRIAL**

**COMES NOW** the Defendant, **RONALD SMITH, III**, through Undersigned Counsel, Donnie W. Bethel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and respectfully moves the Court for an Order continuing this matter from the March 10, 2008, Trial Term. In support of this motion, the Defendant would show the following:

1. Mr. Smith submitted a request for pretrial diversion in this case. The United States Attorney recommended approval of that request and, on February 5, 2008, forwarded it to the United States Probation Office for investigation. That investigation is currently underway, but it is unlikely to be completed prior to the scheduled trial date of March 10th.

2. For the foregoing reasons, Special Assistant United States Attorney Emily Ruisanchez concurs with Mr. Smith's Motion to Continue.

**WHEREFORE**, Defendant respectfully requests that this Motion to Continue be granted.

Dated this 29th day of February, 2008.

Respectfully submitted,

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
Assistant Federal Defender  
201 Monroe Street, Suite 407  
Montgomery, Alabama 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
E-mail: [don\\_bethel@fd.org](mailto:don_bethel@fd.org)  
IN Bar Code: 14773-49

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 1:07-cr-270-WC</b>
	)	
<b>RONALD SMITH, III</b>	)	

**CERTIFICATE OF SERVICE**

I hereby certify that on February 29, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kent B. Brunson  
Assistant U. S. Attorney  
131 Clayton Street  
Montgomery, AL 36101

Emily Ruisanchez  
Department Of The Army  
Office of Staff Judge Advocate  
Military Justice (ATZQ-SJA-MJ)  
Bldg. 5700, Novosel Street  
Fort Rucker, AL 36362

Respectfully submitted,

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
Assistant Federal Defender  
201 Monroe Street, Suite 407  
Montgomery, Alabama 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
E-mail: [don\\_bethel@fd.org](mailto:don_bethel@fd.org)  
IN Bar Code: 14773-49